

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 HERMAN MATASAR,

4 Plaintiff,

Case No. 3:24-cv-00302-ART-CLB

ORDER

5 v.

6 WASHOE COUNTY JAIL, et al.,

7 Defendants.

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9 **I. DISCUSSION**

10 On July 10, 2024, Plaintiff, then an inmate in the custody of the Nevada
11 Department of Corrections (“NDOC”), initiated this prisoner civil rights action
12 pursuant to 42 U.S.C. § 1983. On December 23, 2024, this Court issued a
13 screening order and dismissed the complaint in its entirety without prejudice
14 with leave to amend. (ECF No. 7 at 11.) On February 3, 2025, Plaintiff filed a
15 first amended complaint. (ECF No. 9).

16 The Court takes judicial notice that on February 25, 2025, the NDOC
17 issued a press release announcing that Plaintiff had been pronounced dead at
18 the Carson Tahoe Regional Medical Center on February 22, 2025.¹

19 Pursuant to Federal Rule of Civil Procedure 25(a)(1), “[i]f a party dies and
20 the claim is not extinguished, the court may order substitution of the proper
21 party. A motion for substitution may be made by any party or by the decedent’s
22 successor or representative. If the motion is not made within 90 days after
23 service of a statement noting the death, the action by or against the decedent
24 must be dismissed.” Fed. R. Civ. P. 25(a)(1). As such, if there is no motion for
25 substitution within 90 days of the date of this order, the Court will dismiss the

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¹ See Press Release, Nevada Department of Corrections, at
28 https://doc.nv.gov/uploadedFiles/docnvgov/content/About/Press_Release/Death%20Herman%20Matasar%201284371.pdf (Feb. 25, 2025).

1 case.

2 **II. CONCLUSION**

3 For the foregoing reasons, it is ordered that the Court will dismiss this
4 case in 90 days if there is no motion to substitute filed pursuant to Federal Rule
5 of Civil Procedure 25(a)(1).

6 It is further ordered that the motion for extension of time (ECF No. 8) is
7 denied as moot.

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9 DATED: August 1, 2025.



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11 ANNE R. TRAUM
12 UNITED STATES DISTRICT JUDGE
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